

SUPREME COURT OF THE UNITED STATES

Jackson v. Ashton

33 U.S. 148 (1834) · Decided March 18, 1834

SUMMARY

The Supreme Court held that the title or caption of a bill is not part of the bill and does not cure defects in pleading jurisdictional facts. Because the pleadings did not adequately state the parties' citizenship, the circuit court lacked jurisdiction, requiring reversal of its decree and dismissal of the appeal.

CASE DETAILS

COURT	Supreme Court of the United States
WRITING FOR THE COURT	Chief Justice Marshall
JURISDICTION	Federal
DECIDED	March 18, 1834
DISPOSITION	reversed
PROCEDURAL POSTURE	Appeal from a decree of the United States Circuit Court for the Eastern District of Pennsylvania. The Supreme Court reviewed whether the circuit court had jurisdiction despite defects in the bill's pleading of the parties' citizenship.
PRECEDENTIAL VALUE	Published Supreme Court opinion
PARTIES	Thomas Jackson et al. v. William E. Ashton

TOPICS

- subject matter jurisdiction
- pleadings
- appellate jurisdiction
- appellate procedure
- civil procedure

PRACTICE AREAS

- Civil procedure
- Federal jurisdiction
- Appellate procedure

QUESTIONS PRESENTED

1. Whether the caption or title of a bill can cure defects in the bill's allegations concerning the parties' citizenship.

2. Whether the bill adequately pleaded facts establishing federal jurisdiction based on the parties' citizenship.
3. Whether the circuit court had jurisdiction to entertain the cause.

HOLDINGS

1. The title or caption of a bill is not part of the bill and does not cure defects in its pleading.
2. A bill and the proceedings must state the citizenship of the parties to establish jurisdiction; the statement that the defendant was "of Philadelphia" was insufficient.

KEY QUOTATIONS

"The title or caption of the bill, is no part of the bill, and does not remove the objection to the defects in the pleadings." (149)

"The bill and proceedings should state the citizenship of the parties, to give the court jurisdiction of the case." (149)

FACTUAL BACKGROUND

The bill's caption identified the parties, but the body of the bill did not state their citizenship. The bill stated only that the defendant was "of Philadelphia," and the circuit court nevertheless entertained jurisdiction.

PROCEDURAL HISTORY

The circuit court entertained the cause and entered a decree. The Supreme Court held that the bill did not adequately allege the parties' citizenship, reversed the circuit court's decree, and dismissed the appeal.

DISPOSITION

reversed

REMAND INSTRUCTIONS

The reversal and dismissal were to be certified to the circuit court under the seal of the Supreme Court.

OPINION

MARSHALL, J.

33 U.S. 148 (____) 8 Pet. 148 THOMAS JACKSON ET AL., APPELLANTS v. WILLIAM E. ASHTON. Supreme Court of United States. Mr Peters, for the appellee. Mr Key contended. *149 Mr Chief Justice MARSHALL delivered the opinion of the Court.

The title or caption of the bill, is no part of the bill, and does not remove the objection to the defects in the pleadings. The bill and proceedings should state the citizenship of the parties, to give the court jurisdiction of the case.

The only difficulty which could arise to the dismissal of the bill, presents itself upon the statement, "that the defendant is of Philadelphia." This, it might be answered, shews that he is a citizen of Pennsylvania. If this were a new question, the court might decide otherwise; but the decision of the court, in cases which have heretofore been before it, has been express upon the point; and the bill must be dismissed for want of jurisdiction.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the eastern district of Pennsylvania, and was argued by counsel; on consideration whereof, it is the opinion of this court, that the said circuit court could not entertain jurisdiction of this cause, and that, consequently, this court has not jurisdiction in this cause, but for the purpose of reversing the decree of the said circuit court, entertaining said jurisdiction: whereupon, it is ordered, adjudged and decreed by this court, that the decree of the said circuit court be, and the same is hereby reversed, and that this appeal be, and the same is hereby dismissed.

All of which is hereby ordered to be certified to the said circuit court, under the seal of this court.